



## PHYSICIAN ASSISTANT COMMITTEE

## MEDICAL BOARD OF CALIFORNIA

1424 Howe Avenue, Suite 35, Sacramento, CA 95825-3237  
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Website: [www.physicianassistant.ca.gov](http://www.physicianassistant.ca.gov)



**Name:** Butler, Rory, PA

**Address:** 5770 West Centinela Ave #311  
Los Angeles, CA 90045

**License Number:** PA-13360

**Original Citation Number:** 01-05

**Modified Citation Number:** 01-05A

**Case Number:** 1E-04-158203

Richard L. Wallinder, Jr., issues this citation solely in his official capacity as Executive Officer of the Physician Assistant Committee, hereinafter referred to as the "Committee."

**License History:**

The records of the Committee show that license number PA-13360 was issued to **Rory Lee Butler** on June 30, 1994 and will expire on February 28, 2006 if not renewed.

**Citation:**

A citation is hereby issued to you in accordance with Title 16 California Code of Regulations, Section 1399.570 for the violation(s) described below.

**Cause for Violation:**

Violations of Title 16 California Code of Regulations sections:

- 1399.540, limitations on medical services (i.e. competent performance of medical services).
- 1399.541, medical services performable.

This case was opened based on a complaint received by the Medical Board of California (MBC) regarding the treatment provided to patient S.H. The complaint alleges that you prescribed Doxycycline for a yeast infection. S.H. indicates that the medication caused her to have abdominal pains and vomiting.

The MBC requested and received your response and copies of the medical records. The records indicate that S.H. presented on 4/28/04 with lower quadrant abdominal pain of three weeks duration. Chest, cardiovascular and abdominal examinations were performed. S.H. was diagnosed with vaginitis/candidiasis and was prescribed Monistat 7 and Doxycycline 100 mg. S.H. was directed to take 3 Doxycycline initially and then 1 b.i.d. for 10 days. S.H. was instructed to return for a follow up in two weeks.

A Physician Assistant Expert Consultant reviewed the documentation and medical records. The records indicate that you did not perform a vaginal examination on 4/28/04. A vaginal exam would be an expected part of a physical examination in the evaluation of a sexually active 18 year old female presenting with a three week history of lower abdominal pain.

The consultant concluded that you failed to adequately examine S.H. on 4/28/04 by not performing a pelvic examination.

### **Order of Abatement**

The Committee orders you to take the following corrective actions:

1. Certify to us in writing that you have available for inspection, by us or our agent, if requested:
  - (a) written protocols adopted by the supervising physician(s) that comply with the requirements of PA regulation section 1399.545(e)(3), and that also comply with section 3502.1 of PA Law if you use written drug orders.
  - (b) written transport and back-up procedures for the immediate care of patients who are in need of emergency care beyond the physician assistants scope of practice for such times when a supervising physician is not on the premises (ref. Section 1399.545 (d)).
2. Enroll at your own expense in one CME Category I course of at least 2 units, in taking a patient history, general evaluation, diagnosis, and treatment of patients. This course shall be completed within one calendar year of the date of issuance of this citation. Course completion must be confirmed to us in writing within 455 calendar days of this issuance of this citation.

Unless contesting the citation, failure to abate the violation charged within sixty (60) days of date of your receipt of this document may be deemed to constitute a violation of the Physician Assistant Regulations. Failure to comply may result in disciplinary action being taken by the Committee or other appropriate judicial relief being taken against you.

## Fine

You are assessed a fine in the amount of \$1250 as provided by Title 16 California Code of Regulations Section 1399.571 for violation of Sections 1399.540 and 1399.541, California Code of Regulations.

Unless you contest this fine, payment in full by cashier's check or money order must be received by the Committee within 30 calendar days. Payment(s) should be made payable to:

Physician Assistant Committee  
1424 Howe Avenue, Suite 35  
Sacramento, CA 95825-3237  
Attn: Dianne Tincher

For your protection, please remember to include the Citation number on your cashier's check or money order.

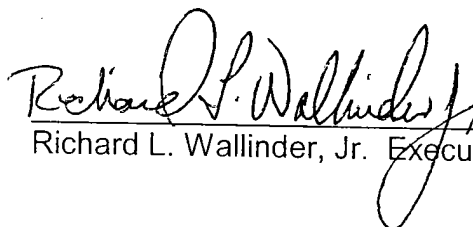
Payment of any fine shall not constitute an admission of the violation(s) charged. If you fail to pay the fine within the thirty calendar days, unless under appeal, the full amount of the fine will be added to your license renewal fee or initial license fee, whichever is applicable. The renewal or initial license will not be issued until the appropriate fee, the administrative fine, and the delinquency fee (if appropriate) are paid.

## Appeal of Citation

You have the right to contest all or portions of the citation through formal appeal. If you wish to contest this citation, you must complete, sign, date, and return the enclosed Notice of Appeal form(s), or any other written notice of appeal, to the Committee within fifteen (15) calendar days after service of the citation. Should you need additional time in which to complete and return the appeal notice(s), please notify the Executive Officer of the Committee immediately at (916) 263-2670.

The day the Notice of Appeal form(s) or other written notice of appeal is received by the Committee is the day that the appeal process shall commence. However, any order of abatement stipulation(s) and/or fine(s) assessed for violations not being contested must be adhered to and/or paid as specified.

If the Citation is not appealed it becomes a final order of the Committee and shall not be subject to further administrative review or judicial relief initiated by the Committee.

  
Richard L. Wallinder, Jr. Executive Officer

12/10/04  
Date